

**Notice of Allowability**

Application No.

10/748,622

Examiner

Gary C. Hoge

Applicant(s)

MOLOKOTOS ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed October 26, 2006.
2. ☒ The allowed claim(s) is/are 1-12, 20, 22, 23 and 116.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony DeLio on November 9, 2006.

The application has been amended as follows:

--1. (currently amended) An illuminated exit device comprising:

a door latch mechanism;

a base for attachment to a surface of a door;

an actuator movably mounted relative to the base and connected to operate the door latch mechanism when pressure is applied to the actuator by a person desiring to operate the exit device;

a planar electroluminescent illuminator ~~mounted to the exit device and electrically insulated therefrom~~ including an inverter providing high voltage AC power to the electroluminescent illuminator from a low voltage input to the inverter connected via electrical wiring extending through the exit device for connection to a source of low voltage electrical power, ~~the low voltage being sufficiently low and the electrically insulated mounting of the electroluminescent illuminator being sufficient for the high voltage AC power to not present a shock hazard to the person desiring to operate the exit device;~~

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a planar sign including opaque portions for blocking illumination from the electroluminescent illuminator, the sign being mounted in front of the electroluminescent illuminator; ~~and~~

a transparent protective cover mounted in front of the sign, the illuminator, sign and covering plate forming a sign assembly visibly mounted on the exit device; and

a touchpad mounted on the actuator, the touchpad including a surface cavity in a surface thereof and the surface cavity including a plurality of openings, the transparent cover including a plurality of tabs, whereby the sign assembly is held in the surface cavity by engagement between the tabs of the transparent cover and the openings in the surface cavity.--

In claim 16, line 1, "1" has been changed to --22--;

In claim 17, line 1, "1" has been changed to --22--;

In claim 18, line 1, "1" has been changed to --22--;

--22. (new) The illuminated exit device according to claim 1 further including an inverter for supplying power to the electroluminescent illuminator.--

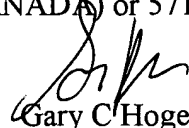
--23. (new) The illuminated exit device according to claim 22 wherein the inverter operates to provide a high voltage AC power to the electroluminescent illuminator from a low voltage input to the inverter, the low voltage not presenting a shock hazard.--

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Hoge whose telephone number is (571) 272-6645. The examiner can normally be reached on 5-4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Gary C Hoge  
Primary Examiner  
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gch